

November 18, 2016

Delegate Peace and Members of the Working Group for Short Term Rentals,

We are a group of families living on a cul-de-sac in the residential neighborhood of Lake Barcroft in Fairfax County. The adults and children who comprise our families are diverse in culture, ethnicity, religion and race. In the summer of 2015, we became neighbors to a short-term rental (STR) business that began operating shortly after the property changed ownership. The experience has been disruptive to the way of life that we had come to enjoy over the past decades, and we wish to make our voices heard regarding the issues that we have encountered.

Business rentals to transient occupants who only stay for a couple of days are inconsistent with the nature of residential neighborhoods. Transient renters do not stay long enough to become part of the community nor hold any investment or accountability to the neighborhood. On various occasions, the STR on our cul-de-sac has been rented by customers for the purpose of hosting large parties (even after a separate listing advertising event rentals was discontinued). Attendant to these occasions, we have dealt with speeding cars, exceptionally loud music, and trash left on the street.

We have seen our quiet cul-de-sac change in character from one in which doors were often left unlocked, our children were safely able to play basketball in the circle, and neighbors all recognized each other, to something very different. The STR business has brought traffic and unknown visitors to our street on a regular basis. We have been concerned about safety when individuals rent out a property online without meeting or being supervised by the property owners. We have also been placed in the position of either having to endure unruly behavior, or to respond to it when renters' activities have become disruptive to the neighborhood, as the STR property owners have not been on site.

We are deeply concerned that short-term rental businesses will fundamentally change the residential character of the Lake Barcroft community. Our community presents a strong lure for entrepreneurs to operate short-term rental businesses with our beautiful lake and proximity to Washington, D.C. In our unique community, we enjoy the many recreational activities afforded by the lake and its five beaches – swimming, sailing, paddling and fishing. On the flip side however is the inherent risk of living near a large body of water, which claimed a young drowning victim (not a neighborhood resident) this past summer. STR businesses bring transients who may be unfamiliar with

the dangers of a lake, adding to our potential liabilities. So far, our community rules have been adequately tailored to allow us to maintain liability insurance; however, we are concerned this may change and use of the lake may be jeopardized due to increased liability and insurance costs associated with the presence of STR businesses. We are also concerned about the potential burden to our community to enforce its rules if the regulation of STR businesses by our local government is eliminated at a state level.

Furthermore, we are deeply troubled by the false accusations made by the STR operator on our street. These allegations have been made in a variety of venues, including materials submitted to the Working Group by this same STR host who has repeatedly attempted to discredit his neighbors as “bigots.” We do not want these untrue and inflammatory accusations to distract the Working Group from the underlying issue, the suitability of residential neighborhoods as settings for hotel-like businesses and the need for local regulation of such businesses in unique neighborhoods, like Lake Barcroft. Accordingly, we wish to present our counter to the claims submitted:

- False accusations of racism and prejudice. The STR host bases these false accusations on the timing of letters to him and of our presentations to the home owners association. Our letters in fact were carefully drafted and reviewed as a group over many days, as was this letter. In the November 7th document submitted by the host to the Working Group, for example, it is implied that our presentation to the HOA was precipitated by the rental of his property to a group of “black professionals” 8 days earlier; in fact, the HOA presentation was scheduled a month in advance (documentation available). Further, the purpose of our presentation to our HOA at this meeting was not to solely “complain” about the STR business on our street but to share our growing concern about the vulnerability of our entire community.
- False accusations of harassment. The STR host describes our letters to him addressing our STR concerns as “harassing.” We have attached the letters for others to judge the merit in this description.
- Inaccurate comparison to prior “bluegrass concerts.” The STR host suggests our neighborhood was more tolerant of bluegrass concerts held by prior owners than of the parties held by renters at his property. The previous homeowners, however, did not leave the property during these indoor house concerts and worked closely with their neighbors to ensure that no one was being inconvenienced. These owners never moved out of the upstairs as claimed by the STR host and lived at the house with their two

children. Further, the prior homeowners never made any money personally by hosting these concerts, which were held to support musicians and to provide a service to the community (documentation available). The STR host, in contrast, has willingly acknowledged his STR business is a “life-line” to him financially.

- Inaccurate suggestion STR property was advertised on a limited basis. The STR host states: "We rent it weekends when we travel to see the kids -- about 4 days/month." We collectively expressed our concern about the frequency at which the property was being advertised for rent to transient occupants directly to the STR host. In the attached letter dated November 15, 2015, it is stated: *“We note for instance that after the dates blocked in November, you currently list the house as being available weekends in December as well as over Christmas and through New Year’s Eve. From January through mid-June of the next year, the house is available Friday through Monday evening every week. Finally, it is available for any date from June 17, 2016 forward.”* We reiterated our concerns to this host in the second of two letters, sent on January 10, 2016, to which no response was offered. The attached calendar advertising the availability for rentals from September 2016 to February 2017 illustrates our perspective, as shared by two of us at the Working Group’s July 14th meeting.

Please do not allow rhetoric and financial motives to impede an open and honest assessment of the impact of STR businesses on established residential communities. These allegations are a distraction intended to prevent a balanced discussion of the issue of STRs in residential neighborhoods.

For all of these reasons, we collectively appeal to the Working Group to consider all aspects of the effects of the STR industry on our communities and support local regulation of the STR industry to safeguard the property rights of residential neighbors and address the unique circumstances found throughout the Commonwealth’s varied communities.

Respectfully,

Ingrid Brock
George Brock
Mark Escobar
Susan Escobar
Richard Ives

Linda Miller
Lauren Munro
Steve Naugle
Douglas Menchhofer
Isabel Menchhofer
Andrea Podeschi
Daniel Turetsky
Jake Riehm
Kate Walsh

cc: LBA Board of Directors

Delegate Kaye Kory

Senator Richard Saslaw

Senator Richard Marsden

Mason District Supervisor Penny Gross

*The term short-term rental used refers to rentals to transient occupants on a daily basis (e.g., 2 night minimums) not a monthly basis (e.g., 3-6 months).